

EXP.046A



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yuri Galperin, et al.  
Appl. No. : 09/942,983  
PCT Filing Date : August 30, 2001  
For : METHOD AND APPARATUS  
FOR DETERMINING A  
PREPAYMENT SCORE FOR AN  
INDIVIDUAL APPLICANT  
Examiner : Siegfried E. Chencinski  
Group Art Unit : 3692

Repln. Ref: 06/20/2008 CKHLOK 0012395100  
DAH:111410 Name/Number:09942983  
FC: 9204 \$730.00 CR

**PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.48**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

05/01/2008 TLUU11 00000003 09942983  
02 FC:1464 Adjustment date: 06/20/2008 CKHLOK  
05/01/2008 TLUU11 00000003 09942983 OP  
02 FC:1464 -130.00 OP.

Dear Sir:

Applicants hereby petition under 37 C.F.R. § 1.48(a) to correct the inventorship of the above-captioned patent application. In particular, Applicants wish to add the following individual, omitted by error, as an inventor in the above-identified application:

Charles L. Jones III  
Residence Address: 4570 Old Post Road, Charlestown, RI 02813-2560  
Citizenship: USA

Pursuant to the requirements of 37 C.F.R. § 1.48(a) and M.P.E.P. § 201.03(II), transmitted with this request are:

- (1) A declaration signed by three of the four actual inventors, namely Yuri Galperin, Vladimir Fishman, and William Eginton, pursuant to 37 C.F.R. § 1.63.
- (2) A Consent of Assignee to Correct Inventorship Under 37 C.F.R. § 1.48(a)(5).
- (3) A petition under 37 C.F.R. § 1.183 to waive the requirement of 37 C.F.R. § 1.48(a)(2) that Charles L. Jones III's sign a statement that he was erroneously omitted as an inventor from the application through no deceptive intent on his part.

Appl. No. : 09/942,983  
PCT Filing Date : August 30, 2001

- (4) A petition under 37 C.F.R. § 1.47 to accept the declaration executed by three of the four inventors.
- (5) The processing fee set forth in 37 C.F.R. § 1.17(i).

Accordingly, Applicants respectfully request that the present petition should be granted. Please use Customer No. 20,995 for all communications. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/28/2008

By: Ted M Cannon  
Ted M. Cannon  
Registration No. 55,036  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

5204496



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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit : 3692

Adjustment date: 06/20/2008 CKHLOK  
05/01/2008 TLUU11 00000003 09942983  
03 FC:1462 -400.00 OP

PETITION UNDER 37 C.F.R. § 1.183 TO WAIVE 37 C.F.R. § 1.48(a)(2) DUE TO  
PREVIOUSLY OMITTED INVENTOR'S REFUSAL TO SIGN A STATEMENT UNDER 37  
C.F.R. § 1.48(a)(2) OR THE ASSIGNEE'S INABILITY TO REACH SAID INVENTOR  
DESPITE DILIGENT EFFORT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

05/01/2008 TLUU11 00000003 09942983  
03 FC:1462 400.00 OP

Dear Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. 1.183 to waive 37 C.F.R. § 1.48(a)(2) and to allow correction of inventorship despite a previously-omitted inventor's failure to sign a statement under 37 C.F.R. § 1.48(a)(2).

Over a period of more than 8 months, the assignee attempted to contact Charles L. Jones to obtain his statement under 37 C.F.R. § 1.48(a)(2) that he was erroneously omitted as an inventor from the above-referenced application through no deceptive intent on his part. Three letters enclosing the Rule 1.48(a)(2) statement, and requesting Mr. Jones' signature on the statement, have been delivered to Mr. Jones' last known address, as confirmed by certified mail return receipts. Despite this diligent effort, Mr. Jones has neither returned a signed Rule 1.48(a)(2) statement nor even communicated with the assignee or its attorney.

Applicants' submit that these circumstances show that Mr. Jones refuses to sign the Rule 1.48(a)(2) statement. At a minimum, even if the circumstances are not interpreted as a refusal, they show that despite diligent effort, Applicants have not been able to reach Mr. Jones.

App. No. : 09/942,983  
Filed : August 30, 2001

Applicants respectfully submit that justice requires the granting of this petition in order to preserve the rights of the owners of the above-referenced patent application in the subject invention. Applicants submit with this Petition the following:

1. A Declaration of inventorship signed by Yuri Galperin, Vladimir Fishman, and William Eginton. In accordance with *M.P.E.P.* § 409.03(a), the Declaration, signed by all available inventors with the signature blocks of the nonsigning inventor left blank is a declaration on behalf of the signing inventors and the nonsigning inventor Charles L. Jones III.
2. A Declaration of Ted M. Cannon, including attached Exhibits A-I, detailing the circumstances of Charles L. Jones III's refusal to sign a statement under 37 C.F.R. § 1.48(a)(2) or the assignee's inability to reach Charles L. Jones III despite diligent effort.
3. Payment in the amount of \$400.00 as required by 37 C.F.R. § 1.17(f) is included as listed on the transmittal letter.

In view of the foregoing submissions and to preserve the right of the owners of the above-referenced patent application in the subject invention, Applicants respectfully request waiver of 37 C.F.R. § 1.48(a)(2) to allow correction of inventorship under 37 C.F.R. § 1.48 be granted despite Charles L. Jones III's failure to sign a statement under 37 C.F.R. § 1.48(a)(2).

As indicated, payment in the amount of \$400.00 as required by 37 C.F.R. § 1.17(f) has been listed in the fees calculated on the transmittal letter. The Assistant Commissioner is authorized to charge any additional fees, including any fees for any required additional extension of time, or credit any overpayment, to Deposit Account No. 11-1410.

Respectfully Submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/28/2008

By:

Ted M. Cannon  
Ted M. Cannon  
Registration No. 55,036  
Attorney of Record  
2040 Main Street, 14<sup>th</sup> Floor  
Irvine, CA 92614

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INDIVIDUAL APPLICANT  
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Group Art Unit : 3692

PETITION UNDER C.F.R. § 1.47(a) TO ACCEPT DECLARATION SIGNED BY THREE OF  
FOUR INVENTORS

Adjustment date: 06/29/2008 CXHLOK  
05/01/2008 TLUU11 00000003 09942983  
04 FC:1463 -200.00 OP

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition the Commissioner under 37 C.F.R. 1.47(a) to accept the enclosed Declaration signed by three of the four named joint and co-inventors. Charles L. Jones III refused to join this application or could not be reached despite diligent effort. Applicants submit with this Petition the following:

1. Declaration of Inventorship signed by Yuri Galperin, Vladimir Fishman, and William Eginton. In accordance with M.P.E.P. § 409.03(a), the Declaration, signed by all available inventors with the signature block of the nonsigning inventor left blank, is a declaration on behalf of the signing inventors and the nonsigning inventor Charles L. Jones III.
2. A Declaration of Ted M. Cannon, including attached Exhibits A-I, detailing the circumstances of the nonsigning inventor's refusal to join in this application or the assignee's inability to reach the nonsigning inventor despite diligent effort.
3. Payment in the amount of \$200.00 as required by 37 C.F.R. § 1.17(g) is included as listed on the transmittal letter.

05/01/2008 TLUU11 00000003 09942983  
04 FC:1463 200.00 OP

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Applicants further state that the last known address of Charles L. Jones III is 4570 Old Post Road, Charlestown, RI 02813-2560. As set forth in the Declaration of Ted M. Cannon, Applicants obtained this last known address upon sending a letter to Mr. Jones' previous address and receiving the letter back as undeliverable with a notice that Mr. Jones forwarding address is the 4570 Old Post Road address.

In view of the foregoing submissions and to preserve the right of the owners of the above-referenced patent application in the subject invention, Applicants respectfully request permission to prosecute the above-referenced application on behalf of the joint and co-inventors, Yuri Galperin, Vladimir Fishman, William Eginton, and Charles L. Jones III.

As indicated, payment in the amount of \$200.00 as required by 37 C.F.R. § 1.17(g) has been listed in the fees calculated on the transmittal letter. The Assistant Commissioner is authorized to charge any additional fees, including any fees for any required additional extension of time, or credit any overpayment, to Deposit Account No. 11-1410.

Respectfully Submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 4/28/2008

By:

Ted M. Cannon

Ted M. Cannon  
Registration No. 55,036  
Attorney of Record  
2040 Main Street, 14<sup>th</sup> Floor  
Irvine, CA 92614

5204491

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND				
1 Date of Request:		2 Serial/Patent # 09/942,983		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
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	Notice of Appeal/Appeal			\$
X	Petition 1462		04/30/08	\$ 400.00
X	Issue Petition 1463		04/30/08	\$ 200.00
	Cert of Correction/Terminal Disc.			\$
	Maintenance			\$
	Assignment			\$
X	Other 1464		04/30/08	\$ 130.00
		7 TOTAL AMOUNT OF REFUND	\$ 730.00	
8 TO BE REFUNDED BY:				
10 REASON:		Treasury Check		
	Overpayment	X	Credit Deposit A/C #:	
X	Duplicate Payment		9 1 1 -- 1 4 1 0	
No Fee Due (Explanation):				
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME:		Douglas I. Wood		TITLE: Senior Petitions Attorney
SIGNATURE:		/douglas wood/		PHONE: 571-272-3231
OFFICE:		Office of Petitions		
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APPROVED:		DATE: 6/20/08		

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